

Message Text

CONFIDENTIAL

PAGE 01 STATE 191414

44

ORIGIN L-03

INFO OCT-01 ARA-16 ISO-00 EUR-25 INT-08 COME-00 OPIC-12

OMB-01 TRSE-00 H-03 SS-15 NSC-10 EB-11 CIAE-00 INR-10

NSAE-00 RSC-01 CIEP-02 CEA-02 /120 R

DRAFTED BY L/ARA:DAGANTZ:CBF

APPROVED BY L/ARA:DAGANTZ

L:MBFELDMAN(DRAFT)

ARA:HSHLAUDEMAN

ARA/BC:JKARKASHIAN(DRAFT)

----- 068404

P 261450Z SEP 73

FM SECSTATE WASHDC

TO AMEMBASSY SANTIAGO PRIORITY

C O N F I D E N T I A L STATE 191414

E.O. 11652:GDS

TAGS: CI, PFOR

SUBJECT COPPER - KENNECOTT SUIT IN ITALY

1. DEPARTMENT HAS RECEIVED REQUEST FROM KENNECOTT LAWYERS FOR ASSISTANCE IN SECURING INFORMATION WHICH COULD BE USED IN ITALIAN PROCEEDING (NEXT HEARING SCHEDULED OCTOBER 3) TO SHOW WHETHER OR NOT SOCIEDAD MINERA EL TENIENTE S.A. IS AN EXISTING LEGAL ENTITY. KENNECOTT BELIEVES CHILEAN PUBLIC RECORDS WOULD REVEAL INDICATION OF DISSOLUTION, IF ANY, AS FOLLOWS:

(A) CERTIFICATE OF DISSOLUTION, IF ISSUED, WOULD BE RECORDED IN THE "COMMERCE REGISTRY" WITH DECREE OF DISSOLUTION SUBSEQUENTLY PUBLISHED IN DIARIO OFICIAL;

(B) IF COMPANY STILL EXISTS, "BALANCE" (ANNUAL PROFIT AND LOSS STATEMENT) SHOULD HAVE BEEN FILED WITH THE OFFICE OF THE SUPERINTENDANT OF CORPORATIONS AND WOULD HAVE APPEARED IN THE REGISTRY OF THAT OFFICE AND, IF APPROVED, CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 191414

IN THE DIARIO OFICIAL.

2. FOR OBVIOUS REASONS DEPARTMENT WISHES TO AVOID (A)
GIVING NEW GOC ANY IMPRESSION THAT WE ARE ASSISTING
KENNECOTT IN PURSUIT OF ITS LEGAL ACTIONS IN EUROPE, AND
(B) SADDLING THE EMBASSY WITH A TIME-CONSUMING TASK WHICH

SHOULD BE PERFORMED BY COUNSEL FOR KENNECOTT. IT IS ALSO
OUR IMPRESSION THAT KENNECOTT SHOULD HAVE NO DIFFICULTY IN
FINDING PRIVATE LEGAL COUNSEL WHO COULD OBTAIN THE
REQUESTED INFORMATION WITH REASONABLE DISPATCH. WE WOULD
APPRECIATE YOUR VIEWS AS TO THE QUESTION OF AVAILABILITY
OF COUNSEL, FEASIBILITY OF THE REQUEST AND WHETHER IT
COULD BE PERFORMED BY EMBASSY OFFICER CONSISTENT WITH
(A) ABOVE. RUSH

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 26 SEP 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: collinp0
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973STATE191414
Document Source: CORE
Document Unique ID: 00
Drafter: DAGANTZ:CBF
Enclosure: n/a
Executive Order: GS RUSH
Errors: N/A
Film Number: n/a
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t1973099/aaaaafzo.tel
Line Count: 75
Locator: TEXT ON-LINE
Office: ORIGIN L
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: collinp0
Review Comment: n/a
Review Content Flags:
Review Date: 17 JAN 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <17-Jan-2002 by boyleja>; APPROVED <04 MAR 2002 by collinp0>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: COPPER - KENNECOTT SUIT IN ITALY
TAGS: PFOR, CI
To: SANTIAGO
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005